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**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:	)	Chapter 11
	)	
MIAMI METALS I, INC., <i>et al.</i> <sup>1</sup>	)	Case No. 18-13359 (shl)
	)	
Debtors.	)	(Jointly Administered)
	)	

**DEBTORS AND SENIOR LENDERS' JOINT OMNIBUS SECOND SUPPLEMENTAL<sup>2</sup>  
NOTICE OF ORAL DEPOSITIONS OF THE REPRESENTATIVE(S) OF CUSTOMERS  
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 30(b)(6)**

**To: THOSE CUSTOMERS LISTED ON EXHIBIT "A"**

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, include: Miami Metals I, Inc. (f/k/a Republic Metals Refining Corporation), 15 West 47th Street, Suites 206 and 209, New York, NY 10036 (3194); Miami Metals II, Inc. (f/k/a Republic Metals Corporation), 12900 NW 38th Avenue, Miami, FL 33054 (4378); Miami Metals III LLC (f/k/a Republic Carbon Company), LLC, 5295 Northwest 163rd Street, Miami Gardens, FL 33014 (5833); Miami Metals IV LLC (f/k/a J & L Republic LLC, 12900 NW 38th Avenue, Miami, FL 33054 (7604); Miami Metals V LLC (f/k/a R & R Metals, LLC), 12900 NW 38th Avenue, Miami, FL 33054 (7848); Miami Metals VI (f/k/a RMC Diamonds, LLC), 12900 NW 38th Avenue, Miami, FL 33054 (1507); Miami Metals VII (f/k/a RMC2, LLC, 12900 NW 38th Avenue, Miami, FL 33054 (4696); Miami Metals VIII (f/k/a Republic High Tech Metals, LLC), 13001 NW 38 Avenue, Miami, FL 33054 (6102), 12900 NW 38th Avenue, Miami, FL 33054 (1507); Republic Metals Trading (Shanghai) Co., Ltd., 276 Ningbo Road, Huangpu District, Shanghai, P.R. 200001 China (1639); and Republic Trans Mexico Metals, S.R.L., Francisco I. Madero No. 55 Piso 5, Local 409, Centro Joyero Edificio Central, Delegación Cuauhtémoc, Mexico DF 6000 (2942).

<sup>2</sup> This supplements the notice provided to Customers on May 14, 2019. However, this notice is not meant to limit the depositions identified on the previous notice, but simply to advise parties-in-interest of specific dates that have been confirmed as to the various parties identified on Exhibit A to the original notice.

PLEASE TAKE NOTICE that, pursuant to Federal Rule of Civil Procedure 30(b)(6) as made applicable to these proceedings by Federal Rules of Bankruptcy Procedure 9014 and 7030, the undersigned attorneys for Miami Metals I, Inc., *et al.*, (collectively, the "Debtors") and the Senior Lenders, will take the deposition upon oral examination (the "Deposition") of a representative(s) of each of those customers listed on Exhibit "A". Pursuant to Fed. R. Civ. P. 30(b)(6), each customer listed on Exhibit "A" ("You") shall designate one or more officers, directors, managing agents and/or authorized representatives who consent to testify on each customer's behalf on the topics listed in the annexed **Exhibit B** (the "Deponent").

The Deponent shall be required to testify as to each of those matters known or reasonably available to You. Please provide notice of the identity of the witness(es) so designated by You to counsel for the Debtors within five days from the date of this notice.

Said examination will be conducted before a certified court reporter authorized to take such depositions and will continue from day to day until completed. You are invited to attend and participate to the extent permitted by the Federal Rules of Civil Procedure and the Federal Rules of Bankruptcy Procedure. Pursuant to Rule 30(b)(3), notice is hereby given that the deposition may be recorded by videotape in addition to stenographically.

PLEASE TAKE FURTHER NOTICE, that the Depositions will be taken for the purpose of discovery, for use at hearings and trials, and for all other uses permitted by the Federal Rules of Civil Procedure and the Federal Rules of Bankruptcy Procedures.

Dated: August 30, 2019

**AKERMAN LLP**

By: /s/John E. Mitchell

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*Counsel for Debtors and Debtors-in-Possession*

## EXHIBIT A

### SCHEDULE OF 30(b)(6) DEPONENTS

Deponent(s)	Deposition Date and Time	Location
Midwest Refineries, LLC <sup>3</sup> c/o Julie Teicher, Esq. Gary D. Bressler, Esq. Nicole Leonard, Esq. MCELROY, DEUTSCH, MULVANEY & CARPENTER, LLP 225 Liberty Street, 36th Floor New York, NY 10281	September 4, 2019 at 9:30a.m.	Maddin, Hauser, Roth & Heller, P.CC. 28400 Northwestern Highway Suite 200-Essex Centre Southfield, MI 48034
Pretium Exploration Inc. <sup>4</sup> c/o Eric Seiler, Esq. Jason C. Rubinstein, Esq. Jamuna D. Kelley, Esq. FRIEDMAN KAPLAN SEILER & ADELMAN LLP 7 Times Square New York, NY 10036-6516	September 24, 2019 at 9:30a.m. and September 27, 2019 at 9:30 a.m.	Friedman Kaplan Seiler & Adelman LLP 7 Times Square New York, NY 10036-6516

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<sup>3</sup> For those interested in participating in person at this deposition, please provide the name of any attendees to Esther McKean, Esq. (esther.mckean@akerman.com or 407-419-8583) no later than two days before the deposition. For those interested in participating remotely, please contact Ms. McKean no later than two days before the deposition to make arrangements to participate at an Akerman office, through WebEx and/or other commonly available conference software.

<sup>4</sup> For those interested in participating in person at this deposition, please provide the name of any attendees to Jamuna D. Kelley, Esq. at jkelley@fklaw.com or (212) 833-1196 no later than one day before the deposition. For those interested in participating remotely, please contact Ms. Kelley no later than one day before the deposition to make arrangements to participate through WebEx and/or other commonly available conference software.

Deponent(s)	Deposition Date and Time	Location
Tiffany and Company <sup>5</sup> Laurelton Sourcing, LLC c/o Benjamin Mintz, Esq. ARNOLD & PORTER KAYE SCHOLER LLP 250 West 55th Street New York, NY 10019  c/o Charles A. Malloy, Esq. ARNOLD & PORTER KAYE SCHOLER LLP 601 Massachusetts Avenue, NW Washington, D.C. 20001	September 13, 2019 9:30a.m.	Arnold & Porter 250 West 55 <sup>th</sup> Street New York, NY 10019-9710
Yamana Gold Inc. <sup>6</sup> c/o David S. Flugman, Esq. SELENDY & GAY PLLC 1290 Avenue of the Americas New York, NY 10104	September 13, 2019 9:30a.m.	Selendy & Gay PLLC 1290 Avenue of the Americas New York, NY 10104

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<sup>5</sup> For those interested in participating in person at this deposition, please provide the name of any attendees to Brendan Gibbons, Esq. (Brendan.gibbons@arnoldporter.com or 212-836-8000) no later than one day before the deposition. For those interested in participating remotely, please contact Mr. Gibbons no later than one day before the deposition to make arrangements to participate through WebEx and/or other commonly available conference software.

<sup>6</sup> For those interested in participating in person at this deposition, please provide the name of any attendees to David S. Flugman, Esq. at dflugman@selendygay.com or (212) 390-9052 no later than one day before the deposition. For those interested in participating remotely, please contact Ms. Flugman no later than one day before the deposition to make arrangements to participate through WebEx and/or other commonly available conference software.

**Exhibit B**

**Topics of Examination<sup>7</sup>**

1. All factual allegations contained in any and all papers You served or filed in the Debtors' bankruptcy cases (the "Cases") related to the Ownership Disputes, including, without limitation, (i) Your Customer Statement as may be amended, supplemented or modified, (ii) any response/reply You filed to the Debtors and/or Senior Lenders' omnibus responses to customer statements (Doc. Nos. 637, 648), (iii) any response You filed to the Debtors and Senior Lenders' Joint Motion for Summary Judgment as to Bucket 1 Customers (Doc. Nos 937, 938, 939), and (iv) any proofs of claim.

2. Your process for identifying, preserving collecting and producing documents and discovery materials required to be produced in these Cases.

3. Your responses to the Debtors' or the Senior Lenders' discovery requests.

4. The Debtors' Standard Terms and General Operating Conditions.

5. Any and all agreements between You and the Debtors, including, without limitation, the negotiation, execution and performance under any such agreement.

6. Any course of conduct, course of performance, or course of dealing between You and the Debtors.

7. The Debtors' refining processes.

8. Prior obligations and transactions between You and the Debtors, including the Debtors' payment to You for materials: (i) in cash by check or wire; (ii) by deposit to Your Loco London metals account; and (iii) the Debtors' transfer to You of like kind metals.

9. Your accounting processes related to the Assets subject to your Ownership Dispute.

10. Your Loco London account and any other metal account maintained by You.

11. Your pool/toll account with the Debtors.

12. The Debtors' "Peace of Mined" program.

13. The accounting treatment in Your books and records and financial statements of all gold, silver, metals, doré or other materials, products, or goods delivered by You to the Debtors, including the Assets.

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<sup>7</sup> Unless otherwise indicated, all defined terms contained herein shall have the meaning set forth in the Order Approving Uniform Procedures for Ownership Disputes as amended.

14. The process for settlement of or agreement with the Debtors regarding the weight and assay of any gold, silver, metals, doré or other materials, products, or goods delivered by You to the Debtors.